

The Texas Education Agency (TEA) adopts an amendment to §153.1011, concerning the Mentor Program Allotment. The amendment is adopted without changes to the proposed text as published in the April 23, 2021 issue of the *Texas Register* (46 TexReg 2681) and will not be republished. The adopted amendment updates provisions related to the application process, consequences for failure to comply with statute, and the frequency of data collection.

REASONED JUSTIFICATION: Section 153.1011 describes the requirements for the Mentor Program Allotment, an optional, grant-funded program to support eligible districts that implement a mentorship program in accordance with Texas Education Code (TEC), §21.458. The allotment is authorized under TEC, §48.114.

The adopted amendment to §153.1011(c) removes language specifying that an application and approval process will occur each year. This change allows for greater flexibility in the frequency and cadence of the application and approval process, which will allow for district mentoring programs to be implemented over multiple consecutive years.

The adopted amendment to §153.1011(d)(2) adds specific consequences for districts that fail to comply with statute by stating that TEA may rescind eligibility of a district's current or future mentor program allotment funding. This change implements the commissioner's authority to require districts to comply with authorizing statute and rule, including the uses of funding outlined in TEC, §48.114.

The adopted amendment to §153.1011(f) allows for an increased frequency with which information may be requested from TEA yearly. This change allows for greater flexibility in the collection of periodic activity/progress reports, which will allow for district mentoring programs to be implemented over multiple consecutive years.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began April 23, 2021, and ended May 24, 2021. Following is a summary of the public comments received and corresponding agency responses.

Comment: Educate Texas commented that the provisions in §153.1011(b)(5)(B)(i) should include topics around mindfulness-based stress reduction in response to effects of the pandemic and supporting teachers of different races and ethnicities.

Response: The agency disagrees. TEC, §21.458(b-1), requires that training for mentor teachers include content related to best mentorship practices. School districts may choose to include mindfulness-based stress reduction practices and engaging in conversations with beginning teachers around diversity, equity, and culturally responsive teaching.

Comment: Educate Texas suggested that the agency build additional guidance and coordination around the mentorship of all teachers and teacher candidates.

Response: The comment is outside the scope of the proposed rulemaking. The agency agrees that providing guidance around the mentorship of teachers and teacher candidates would be helpful and has mentoring resources posted on the TEA website at [tea.texas.gov/MPA](http://tea.texas.gov/MPA).

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §21.458, which allows districts to assign mentor teachers to work with new teachers and provides requirements around mentor program design and delivery. TEC, §21.458(b), requires the commissioner to adopt rules necessary to administer the section; and TEC, §48.114, which establishes a mentor program allotment to be used for funding eligible district mentor training programs; outlines permissible use of mentor program allotment funds, which include mentor teacher stipends, scheduled release time for mentoring activities, and mentor support through providers of mentor training; and requires the commissioner to adopt a formula to determine the amount to which eligible school districts are entitled.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §21.458 and §48.114.

<rule>

**§153.1011. Mentor Program Allotment.**

- (a) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.
- (1) Beginning teacher--A classroom teacher in Texas who has less than two years of teaching experience in the subject or grade level to which the teacher is assigned.
  - (2) Classroom teacher--An educator who is employed by a school district in Texas and who, not less than an average of four hours each day, teaches in an academic instructional setting or a career and technical instructional setting. The term does not include a teacher's aide or a full-time administrator.
    - (A) For a school district, a classroom teacher, as defined in this paragraph, must hold an appropriate certificate issued by the State Board for Educator Certification and must meet the specifications regarding instructional duties defined in this paragraph.
    - (B) For an open-enrollment charter school, a classroom teacher is not required to be certified but must meet the qualifications of the employing charter school and the specifications regarding instructional duties defined in this paragraph.
  - (3) Mentor teacher--A classroom teacher in Texas who provides effective support to help beginning teachers successfully transition into the teaching assignment.
  - (4) School district--For the purposes of this section, the definition of school district includes open-enrollment charter schools.
  - (5) Teacher of record--An educator who is employed by a school or district and who teaches in an academic instructional setting or a career and technical instructional setting and is responsible for evaluating student achievement and assigning grades.
- (b) Program requirements. In order for a district mentor program to receive funds through the mentor program allotment, as described in Texas Education Code (TEC), §48.114, the program must be approved by the commissioner of education using the application and approval process described in subsection (c) of this section. To be approved by the commissioner, district mentor programs must comply with TEC, §21.458, and commit to meet the following requirements.
- (1) Mentor selection. To qualify as a mentor teacher, a classroom teacher must:
    - (A) complete a research-based mentor and induction training program approved by the commissioner;
    - (B) complete a mentor training program provided by the district;
    - (C) have at least three complete years of teaching experience with a superior record of assisting students, as a whole, in achieving improvement in student performance. Districts may use the master, exemplary, or recognized designations under TEC, §21.3521, to fulfill this requirement; and
    - (D) demonstrate interpersonal skills, instructional effectiveness, and leadership skills.
  - (2) Mentor assignment. School districts must agree to assign no more than:
    - (A) two beginning teachers to a mentor who serves as a teacher of record for, on average, six hours per instructional day; or
    - (B) four beginning teachers to a mentor who serves as a teacher of record for, on average, less than six hours per instructional day.
  - (3) District mentor training program. A school district must:

- (A) provide training to mentor teachers and any appropriate district and campus employees, such as principals, assistant principals, and instructional coaches, who work with a beginning teacher or supervise a beginning teacher;
  - (B) ensure that mentor teachers and any appropriate district and campus employees are trained before the beginning of the school year;
  - (C) provide supplemental training that includes best mentorship practices to mentor teachers and any appropriate district and campus employees throughout the school year, minimally once per semester; and
  - (D) provide training for a mentor assigned to a beginning teacher who is hired after the beginning of the school year by the 45th day of employment of the beginning teacher.
- (4) District roles and responsibilities. A school district must designate a specific time during the regularly contracted school day for meetings between mentor teachers and the beginning teachers they mentor, which must abide by the mentor and beginning teachers' entitled planning and preparation requirements in TEC, §21.404, and the provisions of paragraph (5)(A) of this subsection.
- (5) Meetings between mentors and beginning teachers. A mentor teacher must:
- (A) meet with each beginning teacher assigned to the mentor not less than 12 hours each semester, with observations of the mentor teacher by the beginning teacher being mentored or observations of the beginning teacher being mentored by the mentor teacher counting toward the 12 hours each semester; and
  - (B) address the following topics in mentoring sessions with the beginning teacher being mentored:
    - (i) orientation to the context, policies, and practices of the school district, including:
      - (I) campus-wide student culture routines;
      - (II) district and campus teacher evaluation systems;
      - (III) campus curriculum and curricular resources, including formative and summative assessments; and
      - (IV) campus policies and practices related to lesson planning;
    - (ii) data-driven instructional practices;
    - (iii) specific instructional coaching cycles, including coaching regarding conferences between parents and the beginning teacher;
    - (iv) professional development; and
    - (v) professional expectations.
- (c) Application approval process. The Texas Education Agency (TEA) will provide an application and approval process for school districts to apply for mentor program allotment funding. Funding will be limited based on availability of funds, and, annually, the commissioner shall adopt a formula to determine the amount to which approved districts are entitled. The application shall address the requirements of TEC, §21.458, and include:
- (1) the timeline for application and approval;
  - (2) approval criteria, including the minimum requirements necessary for an application to be eligible for approval; and
  - (3) criteria used to determine which districts would be eligible for funding.
- (d) Ongoing verification of compliance with program requirements.

- (1) Each year, participating districts will be required to submit or participate in a verification of compliance with program requirements through a process to be described in the application form. The verification of compliance will include:
    - (A) an annual compliance report, submitted by the district, attesting to compliance with authorizing statute and commissioner rule. The report is to include the number of beginning teachers for whom the district used funds received under TEC, §48.114; and
    - (B) an annual survey of the district's beginning teachers and mentor teachers for whom funds were used under TEC, §48.114. The survey will be used to gather data on program implementation and teacher perceptions.
  - (2) Failure to comply with TEC, §21.458, and this section after receiving an allotment may result in TEA rescinding eligibility of a district's current or future mentor program allotment funding.
- (e) Allowable expenditures. Mentor program allotment funds may only be used for the following:
- (1) mentor teacher stipends;
  - (2) release time for mentor teachers and beginning teachers limited to activities in accordance with this section; and
  - (3) mentoring support through providers of mentor training.
- (f) District mentor program review. School districts awarded mentor program allotment funds must agree to submit all information requested by TEA through periodic activity/progress reports, which will occur at least once per year. Reports will be due no later than 45 calendar days after receipt of the information request and must contain all requested information in the format prescribed by the commissioner.
- (g) Final decisions. Commissioner decisions regarding eligibility for mentor program allotment funds are final and appeals to the commissioner regarding such decisions will not be considered.